THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY
AND
THE HONOURABLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL NO.437 OF 2007

Dated 23.5.2007

Between

Yelchuri Venkateswarlu

…. Appellant

And

The Joint Collector,
Prakasam District at Ongole and others.

.. Respondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY
AND
THE HONOURABLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL NO.437 OF 2007

JUDGMENT: (Per Sri BSSR.J)

This writ appeal is directed against the order dated 1.5.2007 passed by the learned Single Judge in W.P.No.24537 of 2006.

The cause of action for the appellant for filing the writ petition is issuance of show cause notice. The learned Single Judge after thorough appreciation of the material brought on record observed as under;

> "As the petitioner failed to lift the stocks during the period of his absence and thereby perhaps incurred disqualification, the 2nd respondent-

> competent authority issued the show cause notice. There is nothing intrinsically or inherently incompetent about the show cause notice. It is a mere show cause notice. No case is made out for interdicting it. However, if the petitioner submits his explanation to the show cause notice, the same shall be considered in accordance with law."

From the order passed by the learned Single Judge, it is very clear that the concerned authority has to consider the explanation submitted by the appellant/petitioner in accordance with law. Therefore, we do not see any flaw in the order passed by the learned Single Judge.

Accordingly, the writ appeal is dismissed at the admission stage.

B.SESHASAYANA REDDY,J

Dated 23.5.2007

C.V.NAGARJUNA REDDY,J

msv